



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mark GELFAND et al

Atty. Ref.: 3659-72

Serial No. 10/648,233

Group: 3736

Filed: August 27, 2003

Examiner: Not yet assigned

For: CONTROLLER FOR ULTRAFILTRATION BLOOD CIRCUIT
WHICH PREVENTS HYPOTENSION BY MONITORING OSMOTIC
PRESSURE IN BLOOD

* * * * *

April 22, 2004

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The following are submitted in the above-identified application in compliance with 37
C.F.R. §§ 1.97 and 1.98:

INFORMATION DISCLOSURE STATEMENT

- | | | | |
|-------------------------------------|----|--|-----------------|
| <input checked="" type="checkbox"/> | 1. | PTO-1449 Pursuant to 37 CFR 1.97(b)
[within 3 months of filing or prior to 1st Office Action] | <i>N/C</i> |
| <input type="checkbox"/> | 2. | Statement Pursuant to 37 CFR 1.97(c)
[before Final Office Action or Allowance] | <i>N/C</i> |
| <input type="checkbox"/> | 3. | Fee Payment Pursuant to 37 CFR 1.97(c)
[before Final Office Action or Allowance] | <i>\$180.00</i> |
| <input type="checkbox"/> | 4. | Statement & Fee Payment Pursuant to 37 CFR 1.97(d)
[before Issue Fee payment] | <i>\$180.00</i> |
| <input checked="" type="checkbox"/> | 5. | A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document is enclosed herewith. | |

This paper is submitted in accordance with:

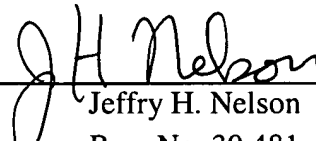
- | | | |
|-------------------------------------|----|---|
| <input checked="" type="checkbox"/> | 6. | 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action] |
|-------------------------------------|----|---|

- ☐ 7. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ a) The Statement required by 37 CFR §§1.97(c)(1) and (e) made in item 9 below; or
- ☐ b) The fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 10 below.
- ☐ 8. 37 CFR §1.97(d): [before issue fee payment]; and
- ☐ a) This is a request for consideration of the subject Information Disclosure Statement. The fee required by 37 CFR §1.17(p) is authorized in item 10 below; and
- ☐ b) The Statement required by 37 CFR §§1.97(d)(1) and (e) is stated in item 9 below.
- ☐ 9. Statement under 37 CFR 1.97(e)
- ☐ a) Each item of information contained in this Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 10. Please charge all applicable fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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**INFORMATION DISCLOSURE
CITATION**

ATTY. DOCKET NO.

SERIAL NO.

3659-72

10/648,233

APPLICANT

Mark GELFAND et al

(Use several sheets if necessary)

FILING DATE

TC/A.U.

August 27, 2003

3736


U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,784,768	11/15/1988	Mathieu			
	US 2001/0016699 A1	08/23/2001	Burbank et al.			
	US 2001/0021817 A1	09/13/2001	Brugger et al.			
	US 2001/0037079 A1	11/01/2001	Burbank et al.			
	US 2001/0041892 A1	11/15/2001	Burbank et al.			
	US 2002/0103453 A1	08/01/2002	Burbank et al.			
	US 2002/0147423 A1	10/10/2002	Burbank et al.			
	US 2003/0009123 A1	01/09/2003	Brugger et al.			
	US 2003/0097087 A1	05/22/2003	Gura			
	5,366,630	11/1994	Chevallet			
	5,730,712	03/1998	Falkvall et al			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
0 274 178	7/13/88	Europe (Fisher)			
1 583 023	1/21/81	Great Britain (Lavender)			
0 990 444 A2	4/5/00	Europe (Davidner)			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	International Search Report dated September 11, 2002.
	Jonathan D. Sackner-Bernstein, MD et al., "How Should Diuretic-Refractory, Volume-Overloaded Heart Failure Patients Be Managed?" The Journal of Invasive Cardiology , Vol. 15, No. 10 (October 2003), pp. 585-590.
	Brian E. Jaski, MD et al., "Peripherally Inserted Veno-Venous Ultrafiltration for Rapid Treatment of Volume Overloaded Patients", Journal of Cardiac Failure , Vol. 9, No. 3, (June 2003), pp. 227-231.

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.